

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44423 of 2016

Arising Out of PS.Case No. -248 Year- 2013 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Awadh Kishore Shukla, Son of Late Bindhyachal Shukla,
 2. Raj Kishore Shukla, Son of Late Bindhyachal Shukla,
 3. Mani Bhushan Shukla, Son of Ramesh Shukla,
 4. Ramesh Shukla, Son of Late Gaurishankar Shukla, All residents of Village – Banswariya, P.S.- Motihari Muffasil, District – East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sangeet Deokuliar, Advocate.

For the Opposite Party : Mr. Abhay Kumar – 1, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 30-11-2016 Heard both sides.

The petitioners apprehend their arrest in Motihari Muffasil P.S. Case No. 248 of 2013 registered for the offences punishable under Sections 332, 427, 353 and other Sections of the Indian Penal Code.

The informant, C.O., Sadar Anchal, Motihari alleged that he went to remove the encroachment on such the petitioners misbehaved with the informant and another and obstructed the official duty.

Learned counsel for the petitioners submitted that no such occurrence as alleged by the informant has ever taken place. Raj Kishore Shukla, petitioner no. 2 filed M.J.C. No. 3547 of 2013

for disobedience of order passed in C.W.J.C. No. 9020 of 2005. In pursuance of the order passed in M.J.C. No. 3547 of 2013, the informant and others forcibly demolished the house of the petitioners without following the process of law and lodged false case.

Considering the facts aforesaid and nature of allegations made against the petitioners, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Motihari Muffasil P.S. Case No. 248 of 2013, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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